REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-17 were pending prior to the Office Action. Claims 12-17 have been canceled through this Reply. Therefore, claims 1-11 are pending. Claims 1 and 11 are independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1 and 11-17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,307,550 to Chen et al. ("Chen") in view of U.S. Patent No. 7,057,648 to Parulski et al. ("Parulski"). Claims 2-10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Parulski and further in view of U.S. Patent No. 6,762,791 to Schuetzle ("Schuetzle"). Claims 12-17 have been canceled through this Reply, rendering the rejection of said claims moot. As applied to the remaining claims, Applicants submit the Examiner has failed to establish a *prima facie* case of obviousness and traverse the rejection.

For a 35 U.S.C. § 103 rejection to be proper, a *prima facie* case of obviousness must be established. *See M.P.E.P. 2142.* One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. *See M.P.E.P. 2142; M.P.E.P. 706.02(j).* Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

As amended, independent claim 1 recites, inter alia, the features of *"an input unit for inputting a video image file obtained by adding, to video data representing a plurality of continuous time-sequential still images photographed by a photographing device as frames of a video image, **attendant data including a first data representing an image service to be processed on a range of frames of the video data corresponding to a subset of the plurality of continuous time-sequential still images and a second data representing an image service to be processed on a still image corresponding to a specific frame of the video data**, the image service being at least one of forming a still image, recording the video image file, distributing a*

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still image or the video data, or editing the video data". Applicants respectfully submit that Chen and Parulski do not teach or suggest the aforementioned limitations, alone or in combination.

Chen discloses a device which analyzes individual frames of a video to automatically identify whether the frames constitute one of three different types of shots: still shots, panoramic shots, and zoom shots. Based on this identification, multiple frames of the video are combined to form a single high-resolution still image. In other words, a single high-resolution image is created for a still shot, a high-resolution panoramic image is created for a pan shot, a multiple-resolution still image is produced for a zoom shot, and a multiple-resolution panoramic image is generated for pan and zoom shots. *See Chen, col. 1, line 66 - col. 2, line 13*. Chen additionally discloses that such an automatic generation of still image shots may be provided as a service to users. *See col. 2, lines 14-18*. The users may provide the source video and are then presented with a selection of still images created according to the still image generation system. The set of generated still images may be output in a number of forms; for example, by printing, by recording in a portable storage device, or in electronic form via email or electronic courier. *See col. 4, lines 48-65*.

In the Office Action, the Examiner concedes that Chen does not disclose or suggest attendant data. Despite this concession, the Examiner applies portions of Chen's disclosure to allegedly cover the features of previous claims 12-17, which describe features of the attendant data. *See Office Action, pages 4-5*. However, Chen merely discloses that a subset of still images is selected and printed or recorded or electronically transmitted, and thus does not disclose or suggest the attendant data as claimed. *See Chen, col. 4, lines 12-16 and 44-51*. Furthermore, although the Examiner alleges that Chen discloses processing an image service for video data included in the image file input by the input unit on the basis of the type of the image service set by a setting unit, Chen does not disclose or suggest processing the image service on the range of frames of the video data and on the still image corresponding to the specific frame of the video data on the basis of the type of the image service which is set by the setting unit on the basis of the attendant data.

Although the Examiner relies on Parulski to allegedly cure the deficiencies of Chen with respect to attendant data, Parulski relates merely to a still image camera. The Parulski reference discloses a utilization file including order information and pointers to image files. *See col. 3, lines 35-38.* The order information involves the quantity, print size, and quality level of the images to be printed. *See col. 3, lines 41-43.* However, Parulski fails to teach or suggest "attendant data including a first data representing an image service to be processed on <u>a range of frames of the video data corresponding to a subset of the plurality of continuous time-sequential still images</u> and a second data representing an image service to be processed on a still image corresponding to a specific frame of <u>the video data</u>" or "a processing unit for processing the image service on <u>the range of frames of the video data</u> and on the still image corresponding to the specific frame of <u>the video data</u> for <u>the video data</u> included in the video image file input by the input unit".

Accordingly, the combination of Chen and Parulski fails to teach or suggest each and every limitation of claim 1. Schuetzle has not been, and indeed cannot be, relied upon to correct at least this deficiency of Chen and Parulski. Independent claim 11 recites features comparable to those discussed with respect to claim 1 and is distinguishable from Chen and Parulski at least for the reasons presented above with respect to claim 1. Dependent claims 2-10 are also distinguishable from the prior art at least due to their dependence from claim 1, directly or indirectly.

Therefore, Applicants submit that claims 1-11 are patentable over the applied prior art and respectfully request that the rejection of claims 1-11 under §103(a) be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders (Reg. No. 60,166) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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